

ISMAIL J. RAMSEY (CABN 189820)
United States Attorney
PAMELA T. JOHANN (CABN 145558)
Chief, Civil Division
ELIZABETH D. KURLAN (CABN 255869)
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7298
Facsimile: (415) 436-6748
Elizabeth.Kurlan@usdoj.gov

Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

XINYUAN CHONG, *et al.*,

Plaintiffs,

v.

JAMES R. MCHENRY III¹, Acting Attorney
General, United States Department of Justice, *et al.*

Defendants.

C 5:24-cv-08741-SVK

**STIPULATION TO EXTEND TIME FOR
DEFENDANTS' RESPONSE TO PLAINTIFFS'
COMPLAINT AND ~~PROPOSED~~ ORDER**

The parties, through their undersigned attorneys, hereby stipulate to an extension of time for Defendants' response to Plaintiffs' complaint. Defendants will file their response on or before April 7, 2025. Plaintiffs filed this action seeking adjudication of their Form I-485, Application to Register Permanent Residence or Adjust Status. The parties make this request because United States Citizenship and Immigration Services ("USCIS") scheduled an interview for Plaintiffs on February 21, 2025.

The parties further request a corresponding extension on the deadline for filing a summary

¹ James R. McHenry III is automatically substituted as the defendant in this matter in accordance with Federal Rule of Civil Procedure 25(d).

judgment motion under the Court's Immigration Mandamus Procedural Order. Dkt. No. 3. Currently, Defendants must file a motion for summary judgment by 120 days after the complaint was served, or April 7, 2025. In view of the agreed-upon extension for Defendants' response to the complaint, the parties request that Defendants must file their motion for summary judgment by May 22, 2025.

Dated: February 4, 2025

Respectfully submitted²,

ISMAIL J. RAMSEY
United States Attorney

/s/ Elizabeth D. Kurlan
ELIZABETH D. KURLAN
Assistant United States Attorney
Attorneys for Defendants

Dated: February 4, 2025

/s/ Xinyuan Chong
XINYUAN CHONG
Pro Se Plaintiff

/s/ Chao Pan
CHAO PAN
Pro Se Plaintiff

~~PROPOSED~~ ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date: February 5, 2025


HON. SUSAN VAN KEULEN
United States Magistrate Judge

² In accordance with Civil Local Rule 5-1(i)(3), the filer of this document attests that all signatories listed herein concur in the filing of this document.